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**SUBSTITUTE SENATE BILL 5170**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Economic Development, Trade & Management (originally sponsored by Senators Shin, Kastama, Zarelli, Kilmer, Kauffman, Jacobsen, Clements, Parlette and Rasmussen)

READ FIRST TIME 02/12/07.

1 AN ACT Relating to the state trade fair fund; amending RCW  
2 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832,  
3 43.31.840, and 43.31.850; repealing RCW 43.31.833 and 43.31.834; and  
4 making appropriations.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 43.31.800 and 1993 c 280 s 52 are each amended to read  
7 as follows:

8 (~~("Director" as used in RCW 43.31.790)~~) For the purposes of RCW  
9 43.31.805 through 43.31.850 (~~(and 67.16.100)~~), "director" means the  
10 director of community, trade, and economic development.

11 **Sec. 2.** RCW 43.31.805 and 1998 c 345 s 3 are each amended to read  
12 as follows:

13 (1) The state trade fair fund is created in the custody of the  
14 state treasury. All moneys received by the department of community,  
15 trade, and economic development for the purposes of this fund shall be  
16 deposited into the fund. Expenditures from the fund may be used only  
17 for the purpose of assisting state international trade (~~(fairs)~~) fair  
18 organizations. Only the director (~~(of community, trade, and economic~~

1 development)) or the director's designee may authorize expenditures  
2 from the fund. The fund is subject to allotment procedures under  
3 chapter 43.88 RCW, but no appropriation is required for expenditures.

4 (2) The department may solicit charitable donations, gifts, or  
5 grants from private or public sources for deposit into the state trade  
6 fair fund.

7 **Sec. 3.** RCW 43.31.810 and 1987 c 195 s 5 are each amended to read  
8 as follows:

9 For the purposes of RCW (~~(43.31.790)~~) 43.31.805 through 43.31.850  
10 (~~(and 67.16.100, as now or hereafter amended)~~), state international  
11 trade fair organizations, to be eligible for state financial aid  
12 (~~(hereunder (1))~~), must: (1) Have had at least two or more years of  
13 experience in the presentation of or participation in state  
14 international trade fairs, whether held in this state, another state or  
15 territory of the United States, or a foreign country(~~(7)~~). However  
16 these need not be consecutive years; and (2) (~~must~~) be able to  
17 provide, from its own resources derived from general admission or  
18 otherwise, funds sufficient to match at least one-half the amount of  
19 state financial aid allotted.

20 **Sec. 4.** RCW 43.31.820 and 1987 c 195 s 6 are each amended to read  
21 as follows:

22 The board of trustees of any state international trade fair  
23 (~~(sponsored by any public agency)~~) organization, qualifying under the  
24 provisions of RCW (~~(43.31.790)~~) 43.31.805 through 43.31.850 (~~(and~~  
25 ~~67.16.100, as now or hereafter amended)~~), may apply to the director for  
26 moneys appropriated from the state trade fair fund as provided for in  
27 RCW 43.31.805, to: (1) Solicit the participation of Washington  
28 businesses in international trade fairs in the state and overseas; and  
29 (2) carry on the continued development as well as the operation of  
30 (~~(said)~~) a state international trade fair(~~(, said money to be~~  
31 ~~appropriated from the state trade fair fund as provided for in RCW~~  
32 ~~67.16.100, as now or hereafter amended)~~).

33 **Sec. 5.** RCW 43.31.830 and 1993 c 280 s 53 are each amended to read  
34 as follows:

35 (1) It (~~(shall be)~~) is the duty of the director (~~(of community,~~

1 ~~trade, and economic development~~) to certify, from the applications  
2 received, the state international trade fair organization or (~~fairs~~)  
3 organizations qualified and entitled to receive funds under RCW  
4 (~~67.16.100~~) 43.31.805, and under rules established by the director.

5 (2) The director shall make annual allotments to state  
6 international trade (~~fairs determined~~) fair organizations that the  
7 director determines are qualified (~~to be entitled~~) to participate in  
8 the state trade fair fund and the director shall fix times for the  
9 division of and payment from the state trade fair fund(~~:- PROVIDED,~~  
10 ~~That~~). However, total payment to any one state international trade  
11 fair (~~shall~~) organization may not exceed (~~sixty~~) one hundred  
12 thousand dollars in any one year, where participation or presentation  
13 occurs within the United States, and (~~eighty~~) one hundred fifty  
14 thousand dollars in any one year, where participation or presentation  
15 occurs outside the United States(~~:- PROVIDED~~). Further, (~~That~~) a  
16 state international trade fair organization may qualify for the full  
17 allotment of funds under either category. Upon certification of the  
18 allotment and division of fair funds by the director, the treasurer  
19 shall proceed to pay the same to carry out the purposes of RCW  
20 (~~67.16.100~~) 43.31.805.

21 **Sec. 6.** RCW 43.31.832 and 1985 c 466 s 34 are each amended to read  
22 as follows:

23 Funds determined to be surplus funds by the director may be  
24 transferred from the state trade fair fund to the general fund upon the  
25 recommendation of the director and the state treasurer(~~:- PROVIDED,~~  
26 ~~That~~). Notwithstanding any existing provision of law to the contrary,  
27 the director may also elect to expend up to one million dollars of  
28 (~~such~~) the surplus on foreign trade related activities(~~(7)~~)  
29 including, but not limited to, promotion of investment, tourism, and  
30 foreign trade.

31 **Sec. 7.** RCW 43.31.840 and 1993 c 280 s 54 are each amended to read  
32 as follows:

33 The director (~~of community, trade, and economic development~~)  
34 shall, at the end of each year for which an annual allotment has been  
35 made, conduct a post audit of all of the books and records of each  
36 state international trade fair (~~participating in~~) organization

1 receiving moneys from the state trade fair fund. The purpose of such  
2 a post audit (~~((shall be))~~) is to determine how and to what extent each  
3 participating state international trade fair organization has expended  
4 all of its funds.

5 The audit required by this section (~~((shall be))~~) is a condition to  
6 future allotments of money from the state (~~((international))~~) trade fair  
7 fund, and the director shall make a report of the findings of each post  
8 audit and shall use such report as a consideration in an application  
9 for any future allocations.

10 **Sec. 8.** RCW 43.31.850 and 1987 c 195 s 9 are each amended to read  
11 as follows:

12 (~~((State))~~) "International trade fair," as used in RCW (~~((43.31.790))~~)  
13 43.31.805 through 43.31.840 (~~((and 67.16.100, as now or hereafter~~  
14 ~~amended)),~~ (~~((shall))~~) means a fair (~~((supported by public agencies~~  
15 ~~basically))~~) conducted for the purpose of introducing and promoting the  
16 sale of manufactured or cultural products and services of a given area,  
17 whether presented in this state, the United States or its territories,  
18 or in a foreign country.

19 NEW SECTION. **Sec. 9.** The following acts or parts of acts are each  
20 repealed:

21 (1) RCW 43.31.833 (State trade fairs--Transfer of surplus funds in  
22 state trade fair fund to general fund--Construction) and 1987 c 195 s  
23 8, 1985 c 466 s 35, & 1972 ex.s. c 93 s 3; and

24 (2) RCW 43.31.834 (State trade fairs--Transfer of surplus funds in  
25 state trade fair fund to general fund--Construction) and 1985 c 466 s  
26 36 & 1972 ex.s. c 93 s 4.

27 NEW SECTION. **Sec. 10.** (1) The sum of one hundred fifty thousand  
28 dollars, or as much thereof as may be necessary, is appropriated for  
29 the fiscal year ending June 30, 2008, from the state general fund to  
30 the state trade fair fund for the purposes of this act.

31 (2) The sum of one hundred fifty thousand dollars, or as much  
32 thereof as may be necessary, is appropriated for the fiscal year ending  
33 June 30, 2009, from the state general fund to the state trade fair fund

1 for the purposes of this act.

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